

# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139,  
www.miamibeachfl.gov

## COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Alina T. Hudak, City Manager

DATE: May 12, 2021

SUBJECT: **LAND USE AND SUSTAINABILITY COMMITTEE MEETING OF APRIL 29, 2021**

A Land Use and Sustainability Committee meeting was held on April 29, 2021. Land Use and Sustainability Committee Members participating were Commissioners Mark Samuelian, Michael Gongora and Ricky Arriola. Commissioner Meiner was also present. Members from the Administration, including Thomas Mooney, Nick Kallergis, and Eric Carpenter as well as members of the public, also participated.

The meeting was called to order at 8:03 a.m.

1. OCEAN DRIVE MXE LAND USE AND ZONING AMENDMENTS – OPTIONS TO EXPEDITE CUP APPLICATIONS.

Planning  
Mayor Dan Gelber  
October 14, 2020 C4 J (Continued from February 17, 2021)

### **AFTER-ACTION:**

Thomas Mooney introduced the item.

Commissioner Samuelian agreed with the Administration recommendation.

Commissioner Gongora agreed with the Administration recommendation but wanted to know when the resiliency code draft was expected.

Commissioner Arriola wanted to ensure that the business community is included in the outreach for the resiliency code update.

Thomas Mooney indicated that focus groups with the business community would be a major part of the code update.

**MOTION - By Acclamation: Accept the Administration's recommendation and include the recommendations to expedite CUP review as part of the Resiliency Code update.**

2. UPDATE ON PROJECTS: A) WEST AVENUE B) INDIAN CREEK C) PALM & HIBISCUS D) FIRST STREET

Office of Capital Improvement Projects / Public Works  
Commissioner Mark Samuelian  
Verbal Report

**AFTER-ACTION: The item was deferred to the May LUSC meeting.**

3. DISCUSS LITTER GETTING INTO THE CITY'S STORMWATER DRAINS WITH POTENTIAL ACTION IF DEEMED NECESSARY.

Public Works  
Commissioner Mark Samuelian  
March 17, 2021 C4 C

**AFTER-ACTION: The item was deferred to the May LUSC meeting.**

4. DISCUSS CLOSING THE LOOPHOLE FOR UN-CALCULATED ROOFTOP HEIGHT AND FLOOR TO AREA RATIO (FAR).

Planning  
Commissioner Mark Samuelian  
March 17, 2021 C4 D

**AFTER-ACTION:**

Thomas Mooney introduced the item.

Commissioner Samuelian had concerns over the types of uses on rooftops.

Members of the public addressed the committee.

Thomas Mooney described the ordinance that will be presented to the Planning Board next month related to Alton Road and regulations for rooftops.

Commissioner Gongora expressed concerns about office uses along Alton Road and the rooftop activation.

Thomas Mooney described the current height regulations for Alton Road and the proposed ordinance related to office incentives.

Commissioner Arriola indicated that the issue about rooftop impacts on residents should be addressed.

Commissioner Gongora had concerns over incentivizing office uses on Alton Road.

Commissioner Samuelian recommended that the item be continued to May to discuss rooftop issues along Alton Road.

Thomas Mooney indicated that the memo would be revised to include the uses permitted on Alton Road and the items discussed at the meeting.

**MOTION - By Acclamation: Continue the item to the May LUSC meeting with direction to update the LUSC on the items discussed regarding rooftop uses along the west side of Alton Road.**

5. DISCUSS ADDING BED AND BREAKFASTS TO THE WEST AVENUE OVERLAY PROHIBITIONS.

Planning  
Commissioner Mark Samuelian  
March 17, 2021 C4 E

**AFTER-ACTION:**

Thomas Mooney introduced the item, including the proposed draft Ordinance that would remove Bed and Breakfast uses as an allowable use in the West Avenue overlay.

Commissioner Samuelian indicated that he was supportive of the item and that it was neighborhood driven.

Members of the public addressed the committee.

Commissioner Arriola indicated that additional City regulation of short-term rentals was preempted by the State but that private condominium associations could apply their own rules and regulations to their buildings.

Commissioner Gongora indicated that it was difficult for condominiums in enforcing restrictions and perhaps the City could assist.

Nick Kallergis indicated that the City cannot enforce private agreements but that perhaps the City could provide some assistance.

Eric Carpenter indicated that the State condo ombudsman was holding office hours at the City and perhaps that is one of the issues that he could assist with.

**MOTION - By Acclamation: Accept the Administration recommendation and recommend that the City Commission refer the draft Ordinance to the Planning Board.**

6. DISCUSS THE ENVIRONMENTAL IMPACTS OF THE URBAN FORESTRY MASTER PLAN.

Environment & Sustainability  
Commissioner Steven Meiner  
March 17, 2021 C4 F

**AFTER-ACTION: The item was deferred to the May LUSC meeting.**

**DEFERRED ITEMS:**

7. AN ORDINANCE AMENDING CHAPTER 126 OF THE MIAMI BEACH CITY CODE, ENTITLED "LANDSCAPE REQUIREMENTS," BY AMENDING SECTION 126-6 THEREOF, ENTITLED "MINIMUM STANDARDS" TO INCLUDE THE PALMS IDENTIFIED IN APPENDIX F OF THE URBAN FORESTRY MASTER PLAN FOR PURPOSES OF CALCULATING THE NUMBER OF REQUIRED STREET TREES, AND THE MINIMUM NUMBER OF TREES REQUIRED PER LOT OR PER ACRE OF NET LOT AREA; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Planning  
Commissioner Steven Meiner  
March 17, 2021 C4 AK

8. DISCUSSION ON CITY OF MIAMI BEACH STORMWATER, SANITARY, SEWER, AND WATER INFRASTRUCTURE BEST MANAGEMENT PRACTICES.

Public Works  
Commissioner Micky Steinberg  
May 11, 2016 C4 U

9. REVIEW THE CITY OF MIAMI BEACH EXPERIENCE AND PERSPECTIVES ON PERVIOUS/PERMEABLE PAVEMENT AND IDENTIFY POTENTIAL OPPORTUNITIES FOR USE.

Planning  
Commissioner Mark Samuelian  
March 18, 2020 C4 AA

10. EXPEDITE THE OPENING OF THE BAYWALK AND MOVE THE REOPENING OF THE BAYWALK UP ON THE G.O. BOND PRIORITIZATION LIST; AND PRESENT THE BAYWALK PLAN TO THE LUSC COMMITTEE.

Capital Improvement Projects  
Land Use and Development Committee

The meeting adjourned at 9:13 am.

Attachment

ATH/EC/ND/TRM/RAM/EW

M:\\$CMB\CCUPDATES\Land Use and Sustainability Committee\2021\April\Report of the April 29 2021 LUSC Meeting - Final.docx

# LAND USE AND SUSTAINABILITY COMMITTEE MEETING

April 29, 2021

Zoom Meeting

## Attendance Sheet

NAME	E-MAIL ADDRESS	PLEASE ADD ME TO THE ELECTRONIC AGENDA LIST
1. Gayle Durham	@	
2. Daniel Ciraldo	@	
3. Wayne Roberts	@	
4. Joseph Magazine	@	
5.	@	
6.	@	
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